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13 Attorneys for Plaintiff SUCCESSFACTORS, INC.

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 SAN FRANCISCO DIVISION

18 SUCCESSFACTORS, INC., a Delaware
corporation,

19 Plaintiff,

20 v.

21 SOFTSCAPE, INC., a Delaware
corporation; and DOES 1-10, inclusive,

22 Defendants.

Case No. CV 08 1376 EDL

**DECLARATION OF PATRICK E. PREMO IN
SUPPORT OF PLAINTIFF'S APPLICATION
FOR A TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE
PRELIMINARY INJUNCTION**

Date:

Time:

Dept:

Judge:

Date of Filing: March 11, 2008

Trial Date: No date set

E-filing

FILED

MAR 11 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

16
A

1 I, Patrick E. Premo, declare as follows:

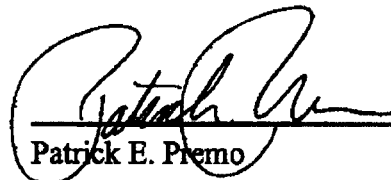
2 1. I am a partner with the law firm of Fenwick & West LLP, counsel to Plaintiff
3 SuccessFactors, Inc. ("SuccessFactors"), and I make this declaration in support of Plaintiff's
4 Motion for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction. I
5 make the following statements based upon my personal knowledge, and, if called upon to testify,
6 would testify competently to them.

7 2. Attached hereto as Exhibit A is a true and correct copy of a printout from the
8 website of the Patent and Trademark Office (PTO) demonstrating SuccessFactors' ownership of
9 Federal Trademark Registration No. 3,385,574.

10 3. Attached hereto as Exhibit B and C are true and correct copies of printouts from
11 the PTO's website demonstrating SuccessFactors' applications for two further registrations in
12 marks comprising or based on SUCCESSFACTORS (serial numbers 78660874 and 78706535).

13 4. On March 11, 2008 at approximately 3:05 pm PDT, I sent a letter attaching the
14 complaint to Softscape's General Counsel, Susan Mohr. I furnished notice that my client,
15 SuccessFactors, intends to file *ex parte* applications for a temporary restraining order and
16 expedited discovery. Attached as Exhibit D is a true and correct copy of the letter that I sent. I
17 also sent a copy of the complaint by overnight delivery and will be having the complaint
18 personally served on Softscape's registered agent for service in California.

19 I declare under penalty of perjury under the laws of the United States of America and the
20 State of California that the foregoing is true and correct, and that this declaration was executed
21 this 11th day of March, 2008, in Mountain View, California

22
23
24 
Patrick E. Premo

25 1281606
26
27
28

EXHIBIT A

Int. Cls.: 35, 41 and 42

Prior U.S. Cls.: 100, 101, 102 and 107

Reg. No. 3,385,574

United States Patent and Trademark Office

Registered Feb. 19, 2008

**SERVICE MARK
PRINCIPAL REGISTER**



**SUCCESSFACTORS, INC. (DELAWARE CORPORATION)
999 BAKER WAY, SUITE 500
SAN MATEO, CA 94404**

FOR: BUSINESS CONSULTATION TO ASSIST IN BUSINESS PERFORMANCE, NAMELY, ON THE SUBJECTS OF WORKFORCE DEVELOPMENT AND PLANNING, MANAGEMENT OF CHANGES IN THE WORKFORCE, CAREER DEVELOPMENT AND PLANNING, EMPLOYEE TRAINING AND EDUCATION, COMPENSATION PLANNING, HUMAN RESOURCES, WORKFORCE RECRUITING, WORKFORCE ATTRIBUTES, WORKFORCE PERFORMANCE, AND THE EVALUATION OF PERSONNEL, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-2005; IN COMMERCE 5-0-2005.

FOR: OFFERING ONLINE EDUCATIONAL CLASSES, SEMINARS AND WORKSHOPS TO ASSIST IN BUSINESS PERFORMANCE, NAMELY, EMPLOYMENT TRAINING AND TRAINING ON THE SUBJECTS OF WORKFORCE PLANNING AND DEVELOPMENT, MANAGEMENT OF CHANGES IN THE WORKFORCE, EMPLOYEE CAREER DEVELOPMENT AND PLANNING, COMPENSATION PLANNING, WORKFORCE RECRUITING, EVALUATION OF PERSONNEL, DATA ANALYSIS AND REPORTING IN THE FIELDS OF HUMAN RESOURCES, WORKFORCE ATTRIBUTES, AND WORKFORCE PERFORMANCE; PROVIDING ONLINE JOURNALS, NAMELY, BLOGS, ON THE SUBJECTS OF BUSINESS PERFORMANCE, NAMELY, WORKFORCE PLANNING AND DEVELOPMENT, CAREER DEVELOPMENT AND PLANNING, EMPLOYEE TRAINING AND EDUCATION, COMPEN-

SATION PLANNING, WORKFORCE RECRUITING, DATA ANALYSIS AND REPORTING IN THE FIELDS OF HUMAN RESOURCES, WORKFORCE ATTRIBUTES, AND WORKFORCE PERFORMANCE, AND THE EVALUATION OF PERSONNEL, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 5-0-2005; IN COMMERCE 5-0-2005.

FOR: PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE SOFTWARE TO ASSIST IN BUSINESS PERFORMANCE, NAMELY, FOR WORKFORCE PLANNING AND DEVELOPMENT, MANAGEMENT OF CHANGES IN THE WORKFORCE, EMPLOYEE CAREER DEVELOPMENT AND PLANNING, COMPENSATION PLANNING, WORKFORCE RECRUITING, DATA ANALYSIS AND REPORTING IN THE FIELDS OF HUMAN RESOURCES, WORKFORCE ATTRIBUTES, AND WORKFORCE PERFORMANCE, AND FOR EVALUATION OF PERSONNEL; TECHNICAL SUPPORT SERVICES, NAMELY, TROUBLESHOOTING COMPUTER SOFTWARE PROBLEMS IN THE FIELD OF ASSISTING IN BUSINESS PERFORMANCE AND EVALUATION OF PERSONNEL, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 5-0-2005; IN COMMERCE 5-0-2005.

THE MARK CONSISTS OF A STYLIZED DESIGN OF A HUMAN FIGURE WITH THE ARMS AND LEGS OUTSTRETCHED.

SER. NO. 78-946,750, FILED 8-7-2006.

RICHARD A. STRASER, EXAMINING ATTORNEY

SER. NO. 78-946,750, FILED 8-7-2006.

RICHARD A. STRASER, EXAMINING ATTORNEY

TM Form 1-2007 (Rev. 8/2006)
 CAIR No. 10710000 (Filing Instructions)

Trademark/Service Mark Application, Principal Register

Serial Number: 78946750

Filing Date: 08/07/2006

The table below presents the data as entered.

MARK SECTION	
MARK FILE NAME	\\TICRS\EXPORT4\IMAGEOUT4\78946750\78946750.xml\AP P0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR MARK	NO
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of Star design.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	277 x 277
OWNER SECTION	
NAME	Success Acquisition Corporation
INTERNAL ADDRESS	Suite 500
STREET	999 Baker Way
CITY	San Mateo
STATE	California
ZIP/POSTAL CODE	94404
COUNTRY	United States
AUTHORIZED EMAIL COMMUNICATION	No
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Delaware
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
DESCRIPTION	Business consultation to assist in business performance, namely, on the subjects of workforce development and planning, management of changes in the workforce, career development and planning, employee training and education, compensation planning, human resources, workforce recruiting, workforce attributes, workforce performance, and the evaluation of personnel.
FILING BASIS	Section 1(a)

FIRST USE ANYWHERE DATE	At least as early as 05/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 05/00/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT4\IMAGEOUT4 789467\78946750.xml\AP P0003.JPG
SPECIMEN DESCRIPTION	web page promoting the services
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	041
DESCRIPTION	Offering online educational training services and online seminars to assist in business performance, namely, employment training and training on the subjects of workforce planning and development, management of changes in the workforce, employee career development and planning, compensation planning, workforce recruiting, evaluation of personnel, data analysis and reporting in the fields of human resources, workforce attributes, and workforce performance.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 05/00/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT4\IMAGEOUT4 789467\78946750.xml\AP P0004.JPG
SPECIMEN DESCRIPTION	web page promoting the services
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	042
DESCRIPTION	Providing temporary use of on-line non-downloadable software to assist in business performance, namely, for workforce planning and development, management of changes in the workforce, employee career development and planning, compensation planning, workforce recruiting, data analysis and reporting in the fields of human resources, workforce attributes, and workforce performance, and for evaluation of personnel; providing online journals, namely, blogs, on the subjects of business performance, namely, workforce planning and development, career development and planning, employee training and education, compensation planning, workforce recruiting, data analysis and reporting in the fields of human resources, workforce attributes, and workforce performance, and the evaluation of personnel; technical support services, namely, troubleshooting computer software problems in the field of assisting in business performance and evaluation of personnel.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 05/00/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT4\IMAGEOUT4 789467\78946750.xml\AP P0005.JPG
	\\TICRS\EXPORT4\IMAGEOUT4 789467\78946750.xml\AP P0006.JPG
SPECIMEN DESCRIPTION	web pages promoting the non-downloadable software
SIGNATURE SECTION	
SIGNATORY FILE	\\TICRS\EXPORT4\IMAGEOUT4 789467\78946750.xml\AP P0007.JPG

SIGNATORY NAME	Julian Ong
SIGNATORY POSITION	Vice President, General Counsel
PAYMENT SECTION	
NUMBER OF CLASSES	3
NUMBER OF CLASSES PAID	3
SUBTOTAL AMOUNT	975
TOTAL AMOUNT	975
PAYMENT METHOD	CC
ATTORNEY	
NAME	Heather A. Dunn, Esq.
FIRM NAME	DLA Piper Rudnick Gray Cary US LLP
INTERNAL ADDRESS	Suite 800
STREET	153 Townsend Street
CITY	San Francisco
STATE	California
ZIP/POSTAL CODE	94107
COUNTRY	United States
PHONE	415-836-2557
FAX	415-836-2501
EMAIL	tmfilings@dlapiper.com
AUTHORIZED EMAIL COMMUNICATION	Yes
ATTORNEY DOCKET NUMBER	359473-900107
OTHER APPOINTED ATTORNEY(S)	Allyn Taylor, Esq., Mark F. Radcliffe, Esq., Scott W. Pink, Esq., Paul A. McLean, Esq., Nancy O. Dix, Esq., Andrew P. Valentine, Esq., Thomas Hoffman, Esq., Alan Limbach, Esq., George Limbach, Esq., Ronald Yin, Esq., and Eugene M. Pak, Esq.
CORRESPONDENCE SECTION	
NAME	Heather A. Dunn, Esq.
FIRM NAME	DLA Piper Rudnick Gray Cary US LLP
INTERNAL ADDRESS	Suite 800
STREET	153 Townsend Street
CITY	San Francisco
STATE	California
ZIP/POSTAL CODE	94107
COUNTRY	United States
PHONE	415-836-2557
	415 836 2501

EMAIL	tmfilings@dlapiper.com
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Mon Aug 07 18:24:45 EDT 2006
TEAS STAMP	USPTO/BAS-6654170187-2006 0807182445290374-78946750 -20019e0ba5b5b93e37827180 40de122b34-CC-842-2006080 7181631654841

File Form 127a (Rev. 6/2005)

USPTO No. 06-51-0009 / IP-07-00000000

Trademark/Service Mark Application, Principal Register

Serial Number: 78946750

Filing Date: 08/07/2006

To the Commissioner for Trademarks:

MARK: (Stylized and/or Design, see mark)

The mark consists of Star design.

The applicant, Success Acquisition Corporation, a corporation of Delaware, residing at Suite 500, 999 Baker Way, San Mateo, California, United States, 94404, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 035: Business consultation to assist in business performance, namely, on the subjects of workforce development and planning, management of changes in the workforce, career development and planning, employee training and education, compensation planning, human resources, workforce recruiting, workforce attributes, workforce performance, and the evaluation of personnel.

International Class 041: Offering online educational training services and online seminars to assist in business performance, namely, employment training and training on the subjects of workforce planning and development, management of changes in the workforce, employee career development and planning, compensation planning, workforce recruiting, evaluation of personnel, data analysis and reporting in the fields of human resources, workforce attributes, and workforce performance.

International Class 042: Providing temporary use of on-line non-downloadable software to assist in business performance, namely, for workforce planning and development, management of changes in the workforce, employee career development and planning, compensation planning, workforce recruiting, data analysis and reporting in the fields of human resources, workforce attributes, and workforce performance, and for evaluation of personnel; providing online journals, namely, blogs, on the subjects of business performance, namely, workforce planning and development, career development and planning, employee training and education, compensation planning, workforce recruiting, data analysis and reporting in the fields of human resources, workforce attributes, and workforce performance, and the evaluation of personnel; technical support services, namely, troubleshooting computer software problems in the field of assisting in business performance and evaluation of personnel.

In International Class 035, the mark was first used at least as early as 05/00/2005, and first used in commerce at least as early as 05/00/2005, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) web page promoting the services.

Specimen - 1

In International Class 041, the mark was first used at least as early as 05/00/2005, and first used in commerce at least as early as 05/00/2005, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) web page promoting the services.

Specimen - 1

In International Class 042, the mark was first used at least as early as 05/00/2005, and first used in commerce at least as early as 05/00/2005, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or

in connection with any item in the class of listed goods and/or services, consisting of a(n) web pages promoting the non-downloadable software.

Specimen - 1

Specimen - 2

The applicant hereby appoints Heather A. Dunn, Esq. and Allyn Taylor, Esq., Mark F. Radcliffe, Esq., Scott W. Pink, Esq., Paul A. McLean, Esq., Nancy O. Dix, Esq., Andrew P. Valentine, Esq., Thomas Hoffman, Esq., Alan Limbach, Esq., George Limbach, Esq., Ronald Yin, Esq., and Eugene M. Pak, Esq. of DLA Piper Rudnick Gray Cary US LLP, Suite 800, 153 Townsend Street, San Francisco, California, United States, 94107 to submit this application on behalf of the applicant. The attorney docket/reference number is 359473-900107.

The USPTO is authorized to communicate with the applicant or its representative at the following email address: tmfilings@dlapiper.com.

A fee payment in the amount of \$975 will be submitted with the application, representing payment for 3 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature:

Signatory's Name: Julian Ong

Signatory's Position: Vice President, General Counsel

Signatory's Signature: Signature

Mailing Address:

Heather A. Dunn, Esq.

Suite 800

153 Townsend Street

San Francisco, California 94107

RAM Sale Number: 842

RAM Accounting Date: 08/08/2006

Serial Number: 78946750

Internet Transmission Date: Mon Aug 07 18:24:45 EDT 2006

TEAS Stamp: USPTO/BAS-6654170187-2006080718244529037

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22b34-CC-842-20060807181631654841





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SuccessFactors Research Based Strategic Consulting

We are not a traditional consulting boutique with a model to sell consulting hours. In fact, we are dedicated to our customers' success using our product. We understand the need for strategic advice and coaching with the deployment of a new Performance & Talent Management tool.

Based on our research we offer results based consulting. We have learned from our great clients' success and can now leverage that knowledge to your advantage.

You can leverage our knowledge to define the relevant set of competencies to drive the execution of your strategy. We know what drives profitability as well as growth. We will work with you to understand your situation in detail; not only in terms of your industry, but also on the timing of your business, your main strategic lever, as well as your most important jobs from a strategy execution perspective to define what the right recipe for your success is.

You might have the need to define relevant systems and metrics to measure and manage your impact across the organization. There are thousands of metrics out there, but do these really have an impact on the execution of your specific strategy or are you simply measuring what is easy to measure based on tradition and available data? We integrate with your current framework and methodologies - should it be a Balanced Scorecard, Six Sigma, or others. Our team has worked as thought leaders in this field for over a decade.

You may have the need to define the ROI for a SuccessFactors deployment. Pre- or post-implementation, we can help you communicate with a common set of financial terms to compare this investment in your most important asset with other investments. We have the tools and benchmarks to help you with this.

You might find the whole space around performance and talent management rather complex and hard to navigate, and it is. However, we have tools and experience from working with others in this field and can offer strategic coaching on performance and talent management. In addition to the actual usage of SuccessFactors and the knowledge we gain from deploying it around the globe, our dedicated team of Professional Services Consultants on average have well over ten years of experience in the HR domain. That is another 400 years of experience available to you. Depending on your particular need we will find the relevant experience to draw from.

We encourage you to contact us at research@successfactors.com to discuss your needs pre- or post-SuccessFactors implementation.

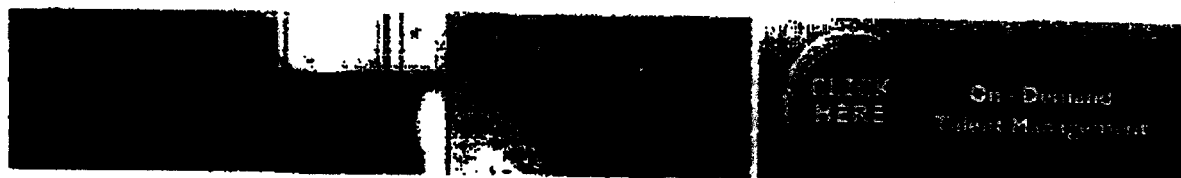
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8/9/2006

Succession Planning Case Study with Edwards Lifesciences

How will your company ensure that it can develop the talent it needs over the next two, five or ten years? It's clear that Succession Management initiatives are imperative to a company's long term success but have you seen one yet that really works? Join this webinar to learn how Edwards Lifesciences has approached the tasks of Succession Planning and the results their efforts have achieved to date.

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8/10/2006

Introduction to SuccessFactors Professional Edition

SuccessFactors Professional Edition is ideal for small and medium-sized companies (from 25 to 500 employees) looking to automate performance reviews, 360 reviews, goal management, compensation planning and business reporting. Webinar topics will include: 1. Introduction to SuccessFactors 2. Demonstration of SuccessFactors Professional Edition: • Performance Reviews • 360 Degree Review • Goal Management & Alignment • Compensation Planning • Business Analytics/Reporting 3. Q&A session

[Register for this upcoming webinar!](#)

8/15/2006

The Importance of Integrating Learning and Performance Management Solutions

Organizations have become caught in a constantly changing environment where adaptation is critical to survival and success. So when the market mandates change, will your people be ready? In order to have the right workforce to address current and future strategic needs organizations must be able to identify employee's performance and competency gaps and have a program in place to improve those skills. An integrated performance and learning management system is the key to this process. Join this webcast and learn how continuous investment in employee development ensures your organization will be ready as business needs evolve.

[Register for this upcoming webinar!](#)

Employee Performance Reviews and Performance Management Solutions

http://www.successfactors.com/solutions/sf-solutions_overview.asp

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Leverage the power of your people

Your company wants to grow and prosper. So do its employees. How do you align the two so that everybody wins?

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The answer is the SuccessFactors Talent & Performance Management Suite. Designed to ensure that your company achieves its corporate goals one employee at a time, the Suite keeps the performance of your executives, managers and employees aligned and synchronized with your company's strategic goals.

It helps you identify the most productive individuals, teams and departments—and duplicate those behaviors company-wide. After establishing successful models for every job, workgroup and department—SuccessFactors lets you track results and measure progress towards achieving those goals.

As the only on-demand application built from the ground up for Talent management, the SuccessFactors Suite lets your company quickly, easily and effectively:

Align Goals: By linking individual goals with corporate goals and strategies, SuccessFactors helps ensure that everyone is working in the same direction.

Develop Competencies: By identifying and developing individual and group strengths, SuccessFactors helps companies get maximum results and productivity from their workforces.

Set Expectations: SuccessFactors eliminates ambiguities by providing a framework that lets managers and employees work together to meet goals, performance, and competencies.

Manage Talent: By identifying top performers and ensuring that they're in the most effective jobs, SuccessFactors helps your company get the best results from its workforce.

Monitor Performance: SuccessFactors allows your company to monitor the progress and results of each employee, team and department ensuring that all are on track.

Plan Compensation: By enabling your company to solidly link rewards with achievements, SuccessFactors helps ensure that employee morale, productivity, and results remain high.

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Align employee performance with bottom-line business results

SuccessFactors Talent Management Suite

Company performance is driven by people. In the most successful organizations, individual objectives are aligned with corporate goals, people are compensated based on execution, and succession plans safeguard future performance.

SuccessFactors Talent Management Suite helps you align, develop, motivate and maintain your workforce. Delivered on-demand, the suite includes:

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SuccessFactors lets you effectively communicate your company's strategic goals to its workforce and motivate them to achieve those goals. Likewise, SuccessFactors lets your company accurately evaluate and grow the talents in its workforce. It helps you create a more involving, dynamic, enjoyable and rewarding work environment.

The entire suite is easily accessible online, so your people can use it whenever and wherever needed. The suite is fully integrated and highly scalable, so you can add capabilities and capacity on-demand.

More importantly, this tight integration lets management establish high-level strategic goals for the company and immediately cascade those goals down throughout the entire suite. This ensures that every individual, team and departmental goal is aligned and synchronized with the company's strategic goals.

Trademark/Service Mark Application, Principal Register

Page 3 of 3

APPLICANT NAME: Success Acquisition Corporation
MARK: Stylized or/and Design

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: _____

Date: _____

Signatory's Name: Julian Ong

Signatory's Position: Vice President, General Counsel

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page must include both the signature information and the boilerplate declaration language. Do not include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

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United States Patent and Trademark Office

[Home](#) [About Us](#) [Contact Us](#) [eBusiness](#) [eBiz Alerts](#) [Help](#)**Assignments on the Web > Trademark Query****Trademark Assignment Abstract of Title****Total Assignments: 1****Serial #:** 78246750**Filing Dt:** 08/07/2006**Reg #:** 3385574**Reg. Dt:** 02/19/2008**Registrant:** SUCCESSFACTORS, INC.**Mark:****Assignment: 1****Real/Frame:** 3540/0367**Received:** 05/10/2007**Recorded:** 05/10/2007**Pages:** 4**Conveyance:** CHANGE OF NAME**Assignor:** SUCCESS ACQUISITION CORPORATION**Exec Dt:** 04/24/2007**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** SUCCESSFACTORS, INC.

999 BAKER WAY, SUITE 500

SAN MATEO, CALIFORNIA 94404

Correspondent: HEATHER A. DUNN

153 TOWNSEND STREET, SUITE 800

SAN FRANCISCO, CA 94107

Search Results as of: 03/10/2008 07:41 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.0.1
Web Interface last modified: April 20, 2007 v.2.0.1[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

EXHIBIT B

1. 511 200 405 1-800-275-2273

Trademark/Service Mark Application, Principal Register

Serial Number: 78660874

Filing Date: 06/29/2005

The table below presents the data as entered.

MARK SECTION	
MARK	SUCCESSFACTORS
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	SUCCESSFACTORS
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
OWNER SECTION	
NAME	Success Acquisition Corporation
INTERNAL ADDRESS	Suite 400 B
STREET	2929 Campus Drive
CITY	San Mateo
STATE	California
ZIP/POSTAL CODE	94403
COUNTRY	United States
PHONE	415-957-1800, ext. 225
FAX	415-974-1520
EMAIL	ntaxy@lpslaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Delaware
GOODS AND/OR SERVICES SECTION	
DESCRIPTION	Providing goods and services, such as computer software and consulting, to assist in the evaluation of personnel and business performance.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/12/1998
FIRST USE IN COMMERCE DATE	At least as early as 06/12/1998

SPECIMEN FILE NAME(S)	\\TICRS\EXPORT10\IMAGEOUT 10\786\608\78660874\xml1\ APP0003.JPG
	\\TICRS\EXPORT10\IMAGEOUT 10\786\608\78660874\xml1\ APP0004.JPG
	\\TICRS\EXPORT10\IMAGEOUT 10\786\608\78660874\xml1\ APP0005.JPG
SPECIMEN DESCRIPTION	The word SUCCESSFACTORS on advertising material.
SIGNATURE SECTION	
SIGNATURE	/Neil E. Taxy/
SIGNATORY NAME	Neil E. Taxy
SIGNATORY DATE	06/29/2005
SIGNATORY POSITION	Attorney for Applicant
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
ATTORNEY	
NAME	Neil E. Taxy
FIRM NAME	Leland, Parachini, Steinberg, Matzger & Melnick, LLP
INTERNAL ADDRESS	Suite 2700
STREET	333 Market Street
CITY	San Francisco
STATE	California
ZIP/POSTAL CODE	94105
COUNTRY	United States
PHONE	415-957-1800, ext. 225
FAX	415-974-1520
EMAIL	ntaxy@lpslaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
ATTORNEY DOCKET NUMBER	SUCCESS-1
CORRESPONDENCE SECTION	
NAME	Neil E. Taxy
FIRM NAME	Leland, Parachini, Steinberg, Matzger & Melnick, LLP
INTERNAL ADDRESS	Suite 2700
STREET	333 Market Street
CITY	San Francisco

STATE	California
ZIP/POSTAL CODE	94105
COUNTRY	United States
PHONE	415-957-1800, ext. 225
FAX	415-974-1520
EMAIL	ntaxy@lpslaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Wed Jun 29 15:31:22 EDT 2005
TEAS STAMP	USPTO/BAS-21638142139-200 50629153122380449-7866087 4-2009a50d1fc4461db6b5088 6dd5814e4dbb-DA-74-200506 29153006184198

USPTO Form 117 (Rev. 4-2005)

USPTO Form 117 (Rev. 4-2005)

Trademark/Service Mark Application, Principal Register

Serial Number: 78660874

Filing Date: 06/29/2005

To the Commissioner for Trademarks:

MARK: (Standard Characters, see mark)

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of SUCCESSFACTORS.

The applicant, Success Acquisition Corporation, a corporation of Delaware, residing at Suite 400 B, 2929 Campus Drive, San Mateo, California, United States, 94403, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class _____: Providing goods and services, such as computer software and consulting, to assist in the evaluation of personnel and business performance.

In International Class _____, the mark was first used at least as early as 06/12/1998, and first used in commerce at least as early as 06/12/1998, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) The word SUCCESSFACTORS on advertising material.

Specimen - 1

Specimen - 2

Specimen - 3

The applicant hereby appoints Neil E. Taxy of Leland, Parachini, Steinberg, Matzger & Melnick, LLP, Suite 2700, 333 Market Street, San Francisco, California, United States, 94105 to submit this application on behalf of the applicant. The attorney docket/reference number is SUCCESS-1.

The USPTO is authorized to communicate with the applicant or its representative at the following email address: ntaxy@lpslaw.com. A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Neil E. Taxy/ Date: 06/29/2005

Signatory's Name: Neil E. Taxy

Signatory's Position: Attorney for Applicant

Mailing Address:

Neil E. Taxy

Suite 2700

333 Market Street

San Francisco, California 94105

RAM Sale Number: 74

RAM Accounting Date: 06/30/2005

Serial Number: 78660874

Internet Transmission Date: Wed Jun 29 15:31:22 EDT 2005

TEAS Stamp: USPTO/BAS-21638142139-200506291531223804

49-78660874-2009a50d1fc4461db6b50886dd58

14e4dbb-DA-74-20050629153006184198

SUCCESSFACTORS



SuccessFactors Workforce Performance Management Application Suite

Business Challenges

Increasing global competition is placing greater pressures on organizations for optimal performance. These competitive forces have served to increase expectations from customers, shareholders, and employees. In order to remain competitive, organizations must:

- Focus employees on critical goals
- Increase overall employee productivity
- Identify and reward top performers
- Invest in ongoing employee development
- Place the right person in the right job to be successful
- Ensure leadership is focused on changing business strategies

According to IDC, globalization and improved economic conditions will force companies to think more strategically about their workforce and invest more in solutions that drive performance to achieve both individual and organizational goals.

Value Proposition

The SuccessFactors Workforce Performance Management Suite is delivered as a service, enabling organizations to rapidly align, develop, motivate, and maintain a high-performance workforce. This world-class application suite is delivered with the vision of providing visibility, accountability, and results for our customers.

Visibility

Clear, timely, and accurate visibility to employee performance and potential can easily be achieved with the SuccessFactors application suite. Managers can consistently monitor progress against goals and competency levels for their entire organization. Employees can be certain that their efforts will not go unnoticed and will be evaluated in a merit-based environment of pay for performance.

Accountability

Real organizational commitment and ownership for corporate and employee goals can be supported with the SuccessFactors application suite. Executives and managers can actively drive employee productivity and motivation through line of sight goal alignment and employee development planning. Employees can make a real impact by understanding their areas of responsibility and their span of control.

Results

Real, tangible impact on revenue can be achieved due to substantial increases in employee productivity. Significant decreases in employee turnover and development costs can be attributed to utilizing the SuccessFactors Workforce Performance Management application suite.

The Application Suite

The SuccessFactors Workforce Performance Management Suite is composed of distinct capabilities, all of which are fully integrated. Its ease-of-use and rapid deployment features allow customers to solve immediate needs by getting to production events in record time. The entire suite is highly scalable and modular, allowing customers to add new modules when they're ready — "on demand."



SuccessFactors Goal Management streamlines the process of creating, executing, monitoring and assessing the progress of company-wide goal completion. This automated process results in a clear understanding of all responsibilities associated with a particular goal, increased employee engagement via the at-a-glance goal alignment, increased visibility up, down and across regarding where employees are, improved accountability, communication during every phase of goal completion, and the elimination of redundancies by focusing employees on the most pertinent goals.



SuccessFactors Career and Development Planning helps managers and employees create systematic, forward and backward development plans that can be monitored and updated on a continuous basis. The results are improved employee skills for current job role and the development of skills required for future career path progression.



SuccessFactors Competency Management supports role-based competency models which are fully integrated with the entire performance appraisal process, allowing managers to evaluate employees on their competency levels and suggest areas for growth. The results are improved visibility to organizational competency needs and clear paths for required competency statements.



SuccessFactors Performance Review streamlines the performance appraisal process. Users can easily select workflow and approval processes while ensuring that employees can be evaluated on criteria that's critical to the objectives of the organization. The result is a consistent performance management process across the enterprise that streamlines the appraisal process, makes line managers more effective in providing feedback that actually improves performance, reduces HR administrative time, increases line manager accountability in measuring performance, and promotes the ability to continuously analyze and develop strategies to optimize employee performance.



SuccessFactors 360MxL Radar facilitates input on an employee's performance and skills from multiple perspectives. This promotes a balanced, insightful and meaningful assessment of the employee resulting in a better understanding of competency gaps and development needs, more informed decisions concerning compensation and benefits, and an optimized solution for doing reviews in a multi-management and matrix.



SuccessFactors Compensation Management allows organizations to effectively implement pay for performance initiatives by integrating and aligning goal management, performance management, and compensation processes with a single integrated application. The result is streamlined compensation processes for HR and the business, better pay guidelines, and the ability to motivate, reward, develop, and retain talent.



SuccessFactors Employee Survey provides management with actionable feedback that helps them clarify the perception vs. the reality in understanding the issues that matter most to employees. The gives employees a forum for expressing their points of view resulting in increased employee engagement, while also providing management with key data points to consider in formulating new processes and strategies.



SuccessFactors Talent and Succession Planning helps companies assess talent overviews, perform modeling scenarios, identify talent strength and development needs, targeted career paths and development plans for all employees. This is achieved through an automated, dynamic process that ensures both the development and readiness of the employee talent required to execute on business strategies over time.



SuccessFactors Business Analytics and Reporting allows for the capture and analysis of information required for strategic performance management decisions. Aggregate data providing insight into the overall process such as percentage of performance assessments that have been completed, and insight into the process such as overall educational competency levels and understanding budget adherence is available.

SUCCESSFACTORS



SuccessFactors Workforce Performance Management Application Suite

Business Challenges

Increasing global competition & strong external pressures for organizations for optimal performance. These competitive forces have served to increase expectations from customers, stakeholders, and employees. In order to remain competitive, organizations must:

- Focus employees on critical tasks
- Increase overall employee productivity
- Identify and reward top performers
- Invest in ongoing employee development
- Place the right person in the right job to be successful
- Ensure readiness to succeed on changing business strategies

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SuccessFactors Goal Management supports the process of creating, tracking, monitoring and assessing the progress of company-wide goal completion. This automated process results in a clear understanding of responsibilities associated with a particular goal. Increased employee engagement via the on-line goal alignment, increased visibility to, down and across reporting levels, improved line manager accountability, communication during every phase of goal completion, and the elimination of redundancies by focusing employees on the most pertinent goals.



SuccessFactors Career & Development Planning helps managers and employees create dynamic, forward and effective development plans that can be monitored and updated on a continuous basis. The results are approved employee skills for current job role and the development of skills required for future career path progression.



SuccessFactors Competency Management supports role based competency models which are fully integrated with the entire performance appraisal process, allowing managers to evaluate employees on their competency levels and suggest areas for growth. The results are improved visibility to organizational competency areas and clear paths for required competency statements.



SuccessFactors Performance Reviews streamline the performance appraisal process. Users can easily select workflow and approval processes while ensuring that employees can be evaluated on criteria that's critical to the objectives of the organization. The result is a consistent performance management process across the enterprise that streamlines the appraisal process, makes line managers more effective in providing feedback that actually improves performance, reduces HR administrative time, increases line manager accountability in measuring performance, and promotes the ability to continually analyze and develop strategies to optimize employee performance.



SuccessFactors 360Feedback facilitates input on an employee's performance and skills from multiple perspectives. This provides a balanced, insightful and meaningful assessment of the employee resulting in a better understanding of competency gaps and development needs; more informed decisions concerning compensation, assignments, and an optimized solution for doing reviews in a multi-management environment.



SuccessFactors Compensation Management allows organizations to efficiently implement pay for performance initiatives by integrating and streamlining performance management, performance management and compensation processes into a single integrated application. The result is a streamlined compensation process for HR and the manager, better pay governance, and the ability to motivate, reward, develop, and retain talent.



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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 78660874

Filing Dt: 06/29/2005

Reg #: NONE

Reg. Dt:

Applicant: Success Acquisition Corporation

Mark: SUCCESSFACTORS

Assignment: 1

Reel/Frame: 3540/0367

Received: 05/10/2007

Recorded: 05/10/2007

Pages: 4

Conveyance: CHANGE OF NAME

Assignor: SUCCESS ACQUISITION CORPORATION

Exec Dt: 04/24/2007

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: SUCCESSFACTORS, INC.

999 BAKER WAY, SUITE 500

SAN MATEO, CALIFORNIA 94404

Correspondent: HEATHER A. DUNN

153 TOWNSEND STREET, SUITE 800

SAN FRANCISCO, CA 94107

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Web interface last modified: April 20, 2007 v.2.0.1

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11/11/05 1478 (RLE & 2005)
 11/11/05 1478 (RLE & 2005)

Trademark/Service Mark Application, Principal Register

Serial Number: 78706535

Filing Date: 09/02/2005

The table below presents the data as entered.

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STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	SUCCESSFACTORS
COLOR MARK	NO
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the word SUCCESSFACTORS in capital letters, to the right of an "X" design with an arrowhead design on the four compass points and a diamond design at 12 o'clock..
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	936 x 232
OWNER SECTION	
NAME	Success Acquisition Corporation
INTERNAL ADDRESS	Suite 400 B
STREET	2929 Campus Drive
CITY	San Mateo
STATE	California
ZIP/POSTAL CODE	94403
COUNTRY	United States
PHONE	415-957-1800, ext. 225
FAX	415-974-1520
EMAIL	ntaxy@lpslaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Delaware
GOODS AND/OR SERVICES SECTION	
DESCRIPTION	Providing goods and services, such as computer software and consulting, to assist in the evaluation of personnel and business

	performance.
FILING BASIS	Section 1(a)
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	\\TICRS\EXPORT9\IMAGEOUT9 \\787\065\78706535\xml1\AP P0004.JPG
SPECIMEN DESCRIPTION	Two pages from the applicant's website, showing the mark in use on page 1.
SIGNATURE SECTION	
SIGNATURE	/Neil E. Taxy/
SIGNATORY NAME	Neil E. Taxy
SIGNATORY DATE	09/02/2005
SIGNATORY POSITION	Attorney for Applicant
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
ATTORNEY	
NAME	Neil E. Taxy
FIRM NAME	Leland, Parachini, Steinberg, Matzger & Melnick, LLP
INTERNAL ADDRESS	Suite 2700
STREET	333 Market Street
CITY	San Francisco
STATE	California
ZIP/POSTAL CODE	94105
COUNTRY	United States
PHONE	415-957-1800, ext. 225
FAX	415-974-1520
EMAIL	ntaxy@lpslaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
ATTORNEY DOCKET NUMBER	success-1
CORRESPONDENCE SECTION	
NAME	Neil E. Taxy
FIRM NAME	Leland, Parachini, Steinberg, Matzger & Melnick, LLP
INTERNAL ADDRESS	Suite 2700
STREET	333 Market Street

CITY	San Francisco
STATE	California
ZIP/POSTAL CODE	94105
COUNTRY	United States
PHONE	415-957-1800, ext. 225
FAX	415-974-1520
EMAIL	ntaxy@lpslaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Fri Sep 02 19:21:02 EDT 2005
TEAS STAMP	USPTO/BAS-21638142139-200 50902192102974554-7870653 5-200a3222f2db6183ba8c5e3 36310787cae-DA-486-200509 02191947297652

PLEASE PRINT OR TYPE CLEARLY
CAPITALS ARE REQUIRED FOR ALL LETTERS

Trademark/Service Mark Application, Principal Register

Serial Number: 78706535

Filing Date: 09/02/2005

To the Commissioner for Trademarks:

MARK: SUCCESSFACTORS (stylized and/or with design, see mark)

The literal element of the mark consists of SUCCESSFACTORS.

The mark consists of the word SUCCESSFACTORS in capital letters, to the right of an "X" design with an arrowhead design on the four compass points and a diamond design at 12 o'clock..

The applicant, Success Acquisition Corporation, a corporation of Delaware, residing at Suite 400 B, 2929 Campus Drive, San Mateo, California, United States, 94403, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class ____: Providing goods and services, such as computer software and consulting, to assist in the evaluation of personnel and business performance.

In International Class ____, the mark was first used at least as early as ____, and first used in commerce at least as early as ____, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each* class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Two pages from the applicant's website, showing the mark in use on page 1..

Specimen - 1

Specimen - 2

The applicant hereby appoints Neil E. Taxy of Leland, Parachini, Steinberg, Matzger & Melnick, LLP, Suite 2700, 333 Market Street, San Francisco, California, United States, 94105 to submit this application on behalf of the applicant. The attorney docket/reference number is success-1. The USPTO is authorized to communicate with the applicant or its representative at the following email address: ntaxy@lpslaw.com. A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Neil E. Taxy/ Date: 09/02/2005

Signatory's Name: Neil E. Taxy

Signatory's Position: Attorney for Applicant

Mailing Address:

Neil E. Taxy

Suite 2700

333 Market Street

San Francisco, California 94105

RAM Sale Number: 486

RAM Accounting Date: 09/06/2005

Serial Number: 78706535

Internet Transmission Date: Fri Sep 02 19:21:02 EDT 2005

TEAS Stamp: USPTO/BAS-21638142139-200509021921029745

54-78706535-200a3222f2db6183ba8c5e336310

787cae-DA-486-20050902191947297652



SUCCESSFACTORS

SuccessFactors: World Class Workforce Performance Management Solutions

Page 1 of 2



Search

Product Suite

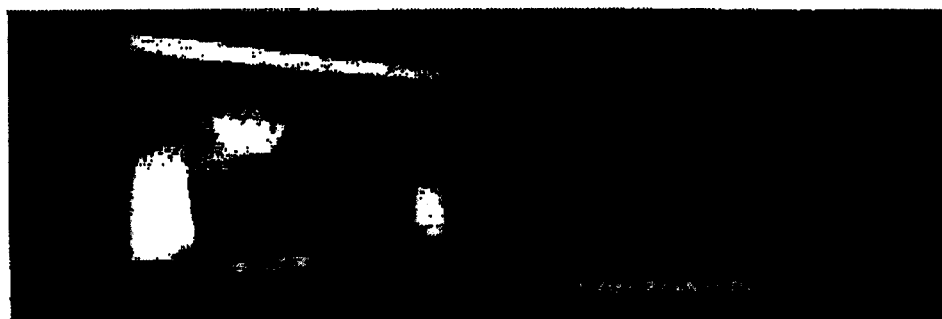
Services

Partners

Customers

Press Releases

Company



SuccessFactors

On-Demand Solutions



SuccessFactors is a leading provider of on-demand workforce performance management solutions. Our solutions help organizations improve productivity, reduce costs, and enhance the employee experience. We offer a wide range of solutions for various industries, including manufacturing, healthcare, and retail.

Press Releases

- SuccessFactors Awarded Spot at Frito Lays 2005 Conference
- SuccessFactors Technology Meets and Exceeds Federal Rehabilitation Act, Section 508 Standards
- As more "Business as Usual" SuccessFactors Teams with New Winning Group to Promote Software as a Service
- Leading Software-as-a-Service

Highlights

Gartner

SuccessFactors Receives "Strong Position" Rating in Gartner's People Analytics Magic Quadrant, 2004

See the June 2004 Report

SuccessFactors is a leading provider of on-demand workforce performance management solutions. Our solutions help organizations improve productivity, reduce costs, and enhance the employee experience. We offer a wide range of solutions for various industries, including manufacturing, healthcare, and retail.

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WALL STREET JOURNAL

The Wall Street Journal Interviews CEO Lars Dalgaard

SuccessFactors is a leading provider of on-demand workforce performance management solutions. Our solutions help organizations improve productivity, reduce costs, and enhance the employee experience. We offer a wide range of solutions for various industries, including manufacturing, healthcare, and retail.

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SKY RADIO

Sky Radio Interviews CEO Lars Dalgaard

Pharmaceutical



Canada

Financial / Insurance



Manufacturing



Technology

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Featured Product

SuccessFactors World Class Workforce Performance Management Solutions

Page 2 of 2

Vendors Face Challenges
to Solve On Needs And Issues Of
Enterprise Customers

More

More vendors face challenges to solve on needs and issues of enterprise customers.

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performance and success factors solutions

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solutions can help you. Visit us at
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Fill out the Global Information Form to
receive more information about our solutions

Support

For more information, please visit our
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Trademark Assignment Abstract of Title

Total Assignments: 1

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Applicant: Success Acquisition Corporation

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Assignor: SUCCESS ACQUISITION CORPORATION

Exec Dt: 04/24/2007

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: SUCCESSFACTORS, INC.

999 BAKER WAY, SUITE 500

SAN MATEO, CALIFORNIA 94404

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SAN FRANCISCO, CA 94107

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March 11, 2008

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VIA ELECTRONIC MAIL AND FEDERAL EXPRESS

Susan Mohr, General Counsel
Softscape, Inc.
One Softscape Center
526 Boston Port Road
Wayland, MA 01778

Re: SuccessFactors, Inc. v. Softscape, Inc.
U.S. District Court, N.D. Cal. Case. No. CV 08-1376 EDL

Dear Ms. Mohr:

I am an attorney for SuccessFactors, Inc. ("SuccessFactors"). This afternoon, my client initiated a lawsuit in U.S. District Court for the Northern District of California, San Francisco division, against Softscape, Inc. ("Softscape") for false advertising, trademark infringement, computer fraud and abuse, defamation, trade libel, intentional interference with prospective economic relations, and unfair competition. SuccessFactors has retained Fenwick & West, LLP as legal counsel in this matter. Attached is a copy of the complaint filed earlier this afternoon.

This letter is to also notify you that SuccessFactors will be filing (1) an application for a temporary restraining order and order to show cause re: preliminary injunction based on the allegations set forth in the complaint, and (2) an application for expedited discovery. We will serve Softscape with a copy of the papers as soon as we have filed them.

We intend to appear tomorrow or at the earliest date permitted by the Court. We will notify you as soon as possible once we are assigned a date and time for the hearing on the two applications. Please direct all further communications about this matter to me or Laurence Pulgram.

Sincerely,

FENWICK & WEST LLP


Patrick E. Premo